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EXAMINER	
SCHUBERT, KEVIN R	
ART UNIT	**PAPER NUMBER**
2137	

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/932,882	KOISTINEN ET AL.	
	Examiner	Art Unit	
	Kevin Schubert	2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 June 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16 and 18-37* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16 and 18-37* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *20 August 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *08202001*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claims 1-16 and 18-37 have been considered.

Election/Restrictions

Applicant's election with traverse in the reply filed on 6/13/05 is acknowledged. The traversal is on the ground(s) that groups I and II do not represent two distinct and independent inventions. The applicant argues that group II is merely a more defined version of group I and that restriction is not proper. This argument is found persuasive. The examiner has withdrawn the election/restriction requirement and examined both groups I and II.

Claim Objections

Claim 10 is objected to because of the following informalities: "set to check" is awkward wording. Appropriate correction is suggested but not required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 14 and 27-28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is unclear whether the end user identifier is part of the password pair. The examiner assumes the applicant is referring to an end user identifier and password pair. Appropriate correction is required.

Claims 18,28-29,35, and 37 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The header of the claims is unclear. The applicant claims "a method of unblocking a

security device issued to an end user by a security agent" in claims 18 and 28 and "a method of unblocking a security device issued to an end user using a security agent" in claims 29,35, and 37. It is unclear whether the "by a security agent" and the "using a security agent" refer to the unblocking process or the issuing process. It is unclear whether the security agent is responsible for the unblocking or the issuing. Appropriate correction is required.

Claim 28 recites the limitation "applet" in part h. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2,5,7, and 18-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Lipsit, EP 0820207 A2.

As per claims 1 and 18, the applicant describes an apparatus to unblock a security device issued to an end user comprising the following steps which are met by Lipsit:

a) an unblocking service for establishing a secure gateway (page 5, line 47 to page 6, line 17);

b) a client-side transfer agent for securely transferring information among the unblocking service, the end user, and the security device (page 5, line 47 to page 6, line 17);

c) an agent-side transfer agent for securely transferring information between the unblocking service and a security agent (page 5, line 47 to page 6, line 17);

Lipsit describes a system which meets the limitations of the above claim in which a subscription activation system (38 of Fig 1) is used to coordinate unblocking of a security device. A subscription service provider transfers data into the subscription activation system including serial numbers and security codes which assist in the unblocking process.

As per claims 2 and 19, the applicant describes the apparatus of claims 1 and 18, which are met by Lipsit, with the following limitation which is also met by Lipsit:

Wherein the security agent unblocks the security device from a remote location (page 5, line 47 to page 6, line 17).

As per claims 5 and 20, the applicant describes the apparatus of claims 1 and 18, which are met by Lipsit, with the following limitation which is also met by Lipsit:

Wherein the end user is remote (page 5, line 47 to page 6, line 17).

As per claim 7, the applicant describes the apparatus of claim 1, which is met by Lipsit, with the following limitation which is also met by Lipsit:

Wherein the apparatus is accessible via a web interface (page 5, lines 1-13).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 3-4 and 22-23 rejected under 35 U.S.C. 103(a) as being unpatentable over Lipsit in view of Menezes, (Menezes, Alfred J. Handbook of Applied Cryptography. 1997. CRC Press. Pages 15-17 and 388-390).

As per claims 3 and 22, the applicant describes the apparatus of claims 1 and 18, which are met by Lipsit, with the following limitation which is met by Menezes:

Wherein an end user identifier and a password pair is presented by the end user for the client-side transfer agent to connect to the unblocking service (Menezes: 388);

Lipsit discloses all the limitations of claims 1 and 18. Lipsit also discloses that a password may be presented by the end user for the client-side transfer agent to connect to the unblocking service (page 4, lines 51-54). Lipsit, however, does not disclose that the password is presented with an end user identifier as an end user/password pair.

Menezes discloses the idea that a password is typically presented with an end user identifier as an end user identifier/password pair. It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Menezes with those of Lipsit because authenticating an end user with an end user identifier/password pair allows each end user to maintain their own personal password rather than just having one universal password. This enhances security in the system because a hacker needs to know two pieces of information (the end user identifier and the password) instead of just one piece of information.

As per claims 4 and 23, the applicant describes the apparatus of claims 1 and 18, which are met by Lipsit, with the following limitation which is met by Menezes:

Wherein an authentication process is performed for every transfer between the client-side transfer agent and the unblocking service (Menezes: 15).

Lipsit is silent as to how data is transferred between the client-side transfer agent and the unblocking service. If the data were encrypted with a symmetric key, an authentication process would be performed for every data transfer since only an authorized user should have the symmetric key.

Claims 6 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lipsit in view of Gien, U.S. Patent Application Publication No. 2002/0112156.

As per claims 6 and 21, the applicant describes the apparatus of claims 1 and 18, which are met by Lipsit, with the following limitation which is met by Gien:

Wherein the security device is a smart card (Gien: [0105]);

Lipsit discloses all the limitations of claims 1 and 18. However, Lipsit does not specifically disclose that the security device which is being unblocked is a smart card. Gien discloses the idea of unblocking a smart card. It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Gien with those of Lipsit because a smart card is another type of security device which could benefit from the efficient unblocking techniques of Lipsit's system.

Claims 9,11-12,24,26,29-32, and 36-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lipsit in view of Chmaytelli, U.S. Patent No. 6,542,729.

As per claims 9 and 24, the applicant describes the apparatus of claims 1 and 18, which are met by Lipsit, with the following limitations which are met by Lipsit and Chmaytelli:

a) an Unblock Authorization Code (UAC) securely transferred from the agent-side transfer agent and the client-side transfer agent to the unblocking service (Lipsit: page 5, line 47 to page 6, line 17);

b) an Unblock Code (UBC) securely transferred from the unblocking service to the client-side transfer agent (Chmaytelli: Col 8, lines 59-66);

c) wherein, the client-side transfer agent uses the UBC to unblock the security device (Chmaytelli: Col 8, lines 59-66);

Lipsit discloses all the limitations of claims 1 and 18. Though Lipsit discloses the idea of unblocking a remote device, Lipsit does not specifically disclose sending an unblock code to the device. This idea is disclosed by Chmaytelli. It would have been obvious to one of ordinary skill in the art at the

time the invention was filed to combine the ideas of Chmaytelli with those of Lipsit because using a particular code to unblock a device is a simple, effective method of unblocking a device since it merely requires a manufacturer or security agent presetting a device with a particular code or codes which can unblock the device if they are received in the future.

As per claims 11-13 and 26, the applicant describes the apparatus of claims 9 and 24, which are met by Lipsit in view of Chmaytelli, with the following limitation which is met by Lipsit:

Wherein the UAC is accepted upon correlation of an end user identifier and a security device identifier (Lipsit: page 5, line 47 to page 6, line 17).

Regarding claim 13, the examiner takes official notice that the end user identifier could be an e-mail address.

As per claims 29,36, and 37, the applicant describes a method of unblocking a security device issued to an end user using a security agent comprising the following limitations which are met by Lipsit and Chmaytelli:

a) gathering information from the end user and the security device (Lipsit: page 5, line 47 to page 6, line 17);

b) verifying the information gathered from the end user and the security device (Lipsit: page 5, line 47 to page 6, line 17);

c) contacting the security agent by the end user (Lipsit: page 5, lines 42-55);

d) supplying end user information verbally to the security agent (Lipsit: page 5, lines 42-55);

e) verifying identity of the end user by the security agent using an identity verification mechanism (Lipsit: page 5, lines 42-55);

f) generating an Unblock Authorization Code (UAC) (Lipsit: page 5, line 47 to page 6, line 17);

g) delivering the UAC to an unblocking service (Lipsit: page 5, line 47 to page 6, line 17);

h) storing the UAC against a security device record in a directory service (Lipsit: page 5, line 47 to page 6, line 17);

i) supplying the UAC from the security agent to the end user (Lipsit: page 5, line 47 to page 6, line 17);

j) applying the UAC to a client-side transfer agent by the end user (Lipsit: page 5, line 47 to page 6, line 17);

k) delivering the UAC securely from the client-side transfer agent to the unblocking service (Lipsit: page 5, line 47 to page 6, line 17);

l) verifying the UAC of the client-side transfer agent and an agent-side transfer agent match through the unblocking service (Lipsit: page 5, line 47 to page 6, line 17);

m) requesting an Unblock Code (UBC) from the directory service (Chmaytelli: Col 8, lines 59-63);

o) unblocking the security device by transferring the UBC from the directory service to the client-side transfer agent (Chmaytelli: Col 8, lines 59-63).

As per claims 30-32, the applicant describes the method of claim 29, which is met by Lipsit in view of Chmaytelli, with the following limitation which is met by Lipsit:

Wherein the security device identifier is a serial number (Lipsit: page 5, line 47 to page 6, line 17).

Claims 10 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lipsit in view of Chmaytelli in further view of Binder, U.S. Patent Application Publication No. 2002/0138553.

As per claims 10 and 25, the applicant describes the apparatus of claims 9 and 24, which are met by Lipsit in view of Chmaytelli, with the following limitation which is met by Binder:

The client-side transfer agent set to check at a configurable frequency for determining that the UAC is generated (Binder: [0036]);

Lipsit in view of Chmaytelli disclose all the limitations of claims 9 and 24. However, Lipsit in view of Chmaytelli do not disclose checking at a configurable frequency for the UAC.

Binder discloses this idea in a networking system in which a client is set to check at a configurable frequency for a generated message. As disclosed by Binder, this functionality is

advantageous because it eliminates the costly and unnecessary need for the user to maintain a constant open connection between a client and a server [0027]. It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Binder with those of Lipsit in view of Chmaytelli because having a client check for a UAC at a configurable frequency eliminates the costly and unnecessary need for the user to maintain a constant open connection with the unblocking service.

Claims 8,14-16 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lipsit in view of Chmaytelli in further view of Menezes.

As per claims 14-16, and 27, the applicant describes the apparatus of claims 9 and 24, which are met by Lipsit in view of Chmaytelli, with the following limitation which is met by Menezes:

Wherein the UBC is provided by the unblocking service to the client-side transfer agent after correlation of an end user identifier, a password pair, and a security device identifier (Menezes: page 388);

Lipsit in view of Chmaytelli discloses all the limitations of claims 1 and 18. Lipsit also discloses that a password may be presented by the end user for the client-side transfer agent to connect to the unblocking service (page 4, lines 51-54). Lipsit in view of Chmaytelli, however, does not disclose that the password is presented with an end user identifier as an end user/password pair.

Menezes discloses the idea that a password is typically presented with an end user identifier as an end user identifier/password pair. It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Menezes with those of Lipsit in view of Chmaytelli because authenticating an end user with an end user identifier/password pair allows each end user to maintain their own personal password rather than just having one universal password. This enhances security in the system because a hacker needs to know two pieces of information (the end user identifier and the password) instead of just one piece of information.

As per claim 8, the applicant describes the apparatus of claim 3, which is met by Lipsit in view of Menezes, with the following limitation which is met by Chmaytelli:

Wherein the end user identifier is an e-mail address (Chmaytelli: Col 8, lines 54-59);

Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lipsit in view of Menezes in further view of Chmaytelli in further view of Binder.

As per claim 28, the applicant describes a method of unblocking a security device issued to an end user by a security agent comprising the following limitations which are met by Lipsit, Menezes, Chmaytelli, and Binder:

a) establishing a secure gateway by an unblocking service (Lipsit: Fig 1; page 5, line 47 to page 6, line 17);

b) transferring information among the unblocking service, the end user, and the security device in a secure manner (Lipsit: page 5, line 47 to page 6, line 17);

c) transferring information between the unblocking service and the security agent in a secure manner (Lipsit: page 5, line 47 to page 6, line 17);

d) presenting an end user identifier and a password pair by the end user for a client-side transfer agent (Lipsit: page 4, lines 51-54; Menezes: page 388);

e) performing an authentication process for every transfer between the client-side transfer agent and the unblocking service (Lipsit: page 4, lines 51-54; Menezes: page 15);

f) transferring an Unblock Authorization Code (UAC) securely from an agent-side transfer agent to the unblocking service (Lipsit: page 5, line 47 to page 6, line 17);

g) supplying the UAC to the end user by the security agent (Lipsit: page 5, line 47 to page 6, line 17);

h) applying the UAC to the client-side applet by the end user (Lipsit: page 5, line 47 to page 6, line 17);

i) transferring the UAC securely from the client-side transfer agent to the unblocking service (Lipsit: page 5, line 47 to page 6, line 17);

j) verifying the UAC transferred by the client-side transfer agent and the agent-side transfer agent match through the unblocking service (Lipsit: page 5, line 47 to page 6, line 17);

k) transferring an Unblock Code (UBC) securely from the unblocking service to the client-side transfer agent (Chmaytelli: Col 8, lines 59-66);

l) unblocking the security device using the UBC (Chmaytelli: Col 8, lines 59-63);

m) checking at a configurable frequency to determine whether the UAC is generated (Binder: [0036]);

n) correlating the end user identifier and a security device identifier prior to acceptance of the UAC (Lipsit: page 5, line 47 to page 6, line 17);

o) providing the UBC by the unblocking service to the client-side transfer agent after correlation of the end user identifier, the password pair, and the security device identifier (Chmaytelli: Col 8, lines 59-63).

Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lipsit in view of Chmaytelli in further view of Rosenberg, U.S. Patent Application Publication No. 2003/0013434.

As per claim 33, the applicant describes the method of claim 29, which is met by Lipsit in view of Chmaytelli, with the following limitations which are met by Chimaytelli and Rosenberg:

a) generating a new UBC (Chimaytelli: Col 8, lines 59-63; Rosenberg: [0072] to [0075]);

b) setting the security device to the new UBC (Rosenberg: [0072] to [0075]);

c) delivering the new UBC to the directory service (Rosenberg: [0072] to [0075]);

Lipsit in view of Chmaytelli disclose all the limitations of claim 29. Chmaytelli also discloses the idea of retrieving a UBC and sending the UBC to a security device so that it can be applied to unblock the device. Chmaytelli does not disclose the idea of generating a new UBC: Chmaytelli is silent as to whether the UBC is generated or simply retrieved from a list of existing UBCs.

Rosenberg discloses the idea of generating a UBC (activation code) for a user and delivering the new UBC to a directory service where it can be obtained by the user. It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Rosenberg with those of Lipsit in view of Chmaytelli because generating a UBC instead of just retrieving it from a list enhances security in the system by generating fresh activation codes thereby curtailing the amount of time a hacker has to steal the activation code.

Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lipsit in view of Chmaytelli in further view of Angelo, U.S. Patent No. 5,949,882.

As per claim 34, the applicant describes the method of claim 29, which is met by Lipsit in view of Chmaytelli, with the following limitation which is met by Angelo:

Verifying the security device is not already permanently blocked (Angelo: Col 11, lines 8-16);

Lipsit in view of Chmaytelli disclose all the limitations of claim 29. However, Lipsit in view of Chmaytelli do not disclose verifying that the security device is not already permanently blocked. Angelo discloses a system in which a check is made on a security device to make sure it is not permanently blocked. It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Angelo with those of Lipsit in view of Chmaytelli because checking to make sure a device is not permanently blocked makes the system more efficient because resources are not wasted trying to unblock a device which is permanently blocked.

Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lipsit in view of Chmaytelli in further view of Rosenberg in further view of Angelo.

As per claim 35, the applicant describes a method of unblocking a security device issued to an end user using a security agent comprising the following limitations which are met by Lipsit, Chmaytelli, Rosenberg, and Angelo:

a) gathering information from the end user and the security device (Lipsit: page 5, line 47 to page 6, line 17);

b) verifying the information gathered from the end user and the security device (Lipsit: page 5, line 47 to page 6, line 17);

c) contacting the security agent by the end user (Lipsit: page 5, line 47 to page 6, line 17);

d) supplying end user information to the security agent (Lipsit: page 5, line 47 to page 6, line 17);

e) verifying identity of the end user by the security agent using an identity verification mechanism (Lipsit: page 4, lines 51-54);

f) generating an Unblock Authorization Code (UAC) (Lipsit: page 5, line 47 to page 6, line 17);

g) transferring the UAC to an unblocking service (Lipsit: page 5, line 47 to page 6, line 17);

h) storing the UAC against a security device record in a directory service (Lipsit: page 5, line 47 to page 6, line 17);

i) transferring the UAC to an unblocking service (Lipsit: page 5, line 47 to page 6, line 17);

j) storing the UAC against a security device record in a directory service (Lipsit: page 5, line 47 to page 6, line 17);

k) supplying the UAC from the security agent to the end user (Lipsit: page 5, line 47 to page 6, line 17);

l) applying the UAC to a client-side transfer agent by the end user (Lipsit: page 5, line 47 to page 6, line 17);

m) delivering the UAC securely from the client-side transfer agent to the unblocking service (Lipsit: page 5, line 47 to page 6, line 17);

n) verifying the UAC transferred by the client-side transfer agent and an agent-side transfer agent match through the unblocking service (Lipsit: page 5, line 47 to page 6, line 17);

o) requesting an Unblock Code (UBC) from the directory service (Chmaytelli: Col 8, lines 59-66);

p) unblocking the security device by transferring the UBC from the directory service to the client-side transfer agent (Chmaytelli: Col 8, lines 59-66);

q) gathering information from the end user using the client-side transfer agent (Lipsit: page 5, line 47 to page 6, line 17);

r) gathering information from the security device using the client-side transfer agent (Lipsit: page 5, line 47 to page 6, line 17);

s) generating a new UBC (Rosenberg: [0072] to [0075]);

t) setting the security device to the new UBC (Rosenberg: [0072] to [0075]);

u) delivering the new UBC to the directory service (Rosenberg: [0072] to [0075]);

v) verifying the security device is not already permanently blocked (Angelo: Col 11, lines 8-16).

Conclusion

This action is made non-final.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Schubert whose telephone number is (571) 272-4239. The examiner can normally be reached on M-F 7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KS

MATTHEW SMITHERS
PRIMARY EXAMINER
Art Unit 2137